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2857	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/708,146	TOBLER ET AL.
	Examiner	**Art Unit**	
	Jeffrey R. West	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 June 2006</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-61</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-61</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>11 February 2004</u> is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the

obligation under 37 CFR 1.56 to point out the inventor and invention dates of each

claim that was not commonly owned at the time a later invention was made in order

for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35

U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance

with 37 CFR 1.67(a) identifying this application by application number and filing date

is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or
declaration, specifically the ZIP of inventor eleven and ZIP and country of
inventor thirteen has been altered by strike-out. See 37 CFR 1.52(c).

It does not include the signature of the thirteenth inventor.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they do not include the following reference sign(s) mentioned in the

description: "10" (paragraph 0065, line 4)

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "146" (Figure 6), "502" (Figure 23), "558" (Figure 25), "628" (Figure 29), "848", "856" (Figure 42), "920" (Figure 46),

5. The drawings are objected to because of the following informalities:

In Figure 1, reference character "28" is labeled "ain Database" rather than ---Main Database---.

In Figure 24, reference characters "532", "530", and "528" are shifted to the right such that they are labeling incorrect components.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet

submitted after the filing date of an application must be labeled in the top margin as

either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the

changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to

the drawings will not be held in abeyance.

Specification

7.   The disclosure is objected to because of the following informalities:

In paragraph 0098, line 18, reference is made to the PIN input of Figure 29 as

"652" while Figure 29 shows the PIN input as "628".

In paragraph 0101, line 6, reference is made to the GUI pushbutton for inputting

a new device of Figure 31 as "668" while Figure 31 shows "668" as a GUI

pushbutton for inputting a new workstation.

In paragraph 0104, line 7, reference is made to the GUI pushbutton for inputting

a new workstation model of Figure 31 as "668" while Figure 31 shows "668" as a

GUI pushbutton for inputting a new workstation and "664" for inputting a new

workstation model.

In paragraph 0107, line 17, "12011" should be ---1211---.

In paragraph 0129, line 25, reference is made to the GUI pushbutton for

removing all of Figure 42 as "854" while Figure 42 shows "854" as a GUI pushbutton

for removing one.

Appropriate correction is required.

Claim Objections

8. Claims 1, 2, 18, 20, 22, 25, 34, 37, and 48-61 are objected to because of the following informalities:

In claim 1, line 9, to avoid problems of antecedent basis, "information related to the at least one part and the information related to" should be ---information relating to the at least one part and the information relating to---.

In claim 2, line 3, "inputting least" should be ---inputting at least---.

In claim 18, line 2, "associated information from the group" should be --- associated information selected from the group---.

In claim 20, line 4, "an assignable causes" should be ---an assignable cause---.

In claim 22, lines 4-9, to avoid problems of antecedent basis, recitations of "the predetermined target" should be ---a predetermined target---.

In claim 22, line 7, "of an lower" should be ---of a lower---.

In claim 22, line 10, to avoid problems of antecedent basis, "the maximum upper limit" should be ---a maximum upper limit---.

In claim 25, lines 3-4, to avoid problems of antecedent basis, "the at least one alarm report, the at least one data edit report, the at least one data verification report, and the at least" should be ---at least one alarm report, at least one data edit report, at least one data verification report, and at least---.

In claim 34, line 5, to avoid problems of antecedent basis, "the inputted product quality control data" should be ---the received product quality control data---.

In claim 34, line 6, to avoid problems of antecedent basis, "information related to the at least one part and the information related to" should be ---information relating to the at least one part and the information relating to---.

In claim 37, line 2, to avoid problems of antecedent basis, "that is correlated" should be ---that is at least partially correlated---.

In claim 37, line 3, to avoid problems of antecedent basis, "information related" should be ---information relating---.

In claim 37, line 3, to avoid problems of antecedent basis, "information that is related to the" should be ---information relating to the---.

In claim 48-58, lines 7-8, to avoid problems of antecedent basis, "information related to the at least one part and the information related to" should be ---information relating to the at least one part and the information relating to---.

In claim 55, line 10, "associated information from" should be ---associated information selected from---.

In claim 59-61, lines 5-6, to avoid problems of antecedent basis, "information related to the at least one part and the information related to" should be ---information relating to the at least one part and the information relating to---.

In claim 56, lines 14-19, to avoid problems of antecedent basis, recitations of "the predetermined target" should be ---a predetermined target---.

In claim 56, line 17, "of an lower" should be ---of a lower---.

In claim 56, line 20, to avoid problems of antecedent basis, "the maximum upper limit" should be ---a maximum upper limit---.

In claim 58, lines 11-12, to avoid problems of antecedent basis, "the at least one alarm report, the at least one data edit report, the at least one data verification report, and the at least" should be ---at least one alarm report, at least one data edit report, at least one data verification report, and at least---.

In claim 60, line 7, to avoid problems of antecedent basis, "that is correlated" should be ---that is at least partially correlated---.

In claim 60, line 7, to avoid problems of antecedent basis, "information related" should be ---information relating---.

In claim 60, line 8, to avoid problems of antecedent basis, "information that is related to the" should be ---information relating to the---.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 6, 22, 36, 50, 56, and 59 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 6 and 50 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement because they specify that the at least one field group includes various types of "zero tolerance" items. The specification, however, contains no mention of such "zero tolerance" items and therefore without a discussion of at least a definition or example of "zero tolerance" items, one having ordinary skill in the art would not understand what constitutes a "zero tolerance" item and would be unable to make/use the invention as claimed.

Claims 22 and 56 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement because they specify that the at least one predetermined test includes aspects of "zero tolerance regarding the predetermined target". The specification, however, contains no mention of such "zero tolerance" targets and therefore without a discussion of at least a definition or example of "zero tolerance" targets, one having ordinary skill in the art would not understand what constitutes a "zero tolerance" target and would be unable to make/use the invention as claimed.

Claims 36 and 59 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement because they specify that the at least one field group includes various types of "zero tolerance" items. The specification, however, contains no mention of such "zero tolerance" items and therefore without a discussion of at least a definition or example of "zero tolerance" items, one having ordinary skill in the art would not understand what constitutes a "zero tolerance" item and would be unable to make/use the invention as claimed.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 5, 14-18, 26-29, 33, 36, 38-40, 44, 45, 54, 55, and 59 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 is considered to be vague and indefinite because it further limits "the at least one specific part" to include one of "at least one part name, at least one part type, at least one product code...". It is unclear to one having ordinary skill in the art, however, how "the at least one specific part includes...at least one part type" when parent claim 2 requires inputting both at "least one part type" and "at least one specific part". If the "at least one specific part" is further defined as "at least one part type" by claim 5, only "at least one part type" will be input rather than the required at "least one part type" and the required "at least one specific part".

Claim 14 is considered to be vague and indefinite because it attempts to further limit the "information relating to at least one type of measurement device" of parent claim 13. Claim 13, however, presents the "information relating to at least one type of measurement device" as one possible selection to meet the "product quality control measurement data" and claim 13 can be met by a "manufacturer of a measurement device" and not "information related to at least one type of measurement device." Therefore, since claim 13 presents a conditional limitation

that can be met by types of data other than the "information relating to at least one type of measurement device" attempted to be further limited by claim 14, claim 14 is considered to be indefinite in when such a condition is not met by the "information relating to at least one type of measurement device".

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, because it attempts to further limit parent claim 1 by "further comprising entering and viewing the product quality control measurement data utilizing at least one workstation". It is unclear to one having ordinary skill in the art, however, how claim 15 can further limit parent claim 1 to include "entering and viewing the product quality control measurement data utilizing at least one workstation" when parent claim 1 requires that the product quality control measurement data be input from a plurality of measurement devices.

Claim 17 is considered to be vague and indefinite because it specifies transmission "through a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network". It is unclear to one having ordinary skill in the art, however, as to how such transmission can be provided through a group consisting of each of the types of communication as claimed.

Claim 33 is rejected under 35 U.S.C. 112, second paragraph, because it attempts to provide a limitation for "entering and viewing the product quality control measurement data utilizing at least one workstation". It is unclear to one having ordinary skill in the art, however, how claim 33 can further limit "inputting product

quality control measurement data from a plurality of measurement devices" with

"entering and viewing the product quality control measurement data utilizing at least

one workstation".

Claim 36 is considered to be vague and indefinite because it further limits "the at

least one specific part" to include one of "at least one part name, at least one part

type, at least one product code...". It is unclear to one having ordinary skill in the

art, however, how "the at least one specific part includes...at least one part type"

when parent claim 35 requires inputting both at "least one part type" and "at least

one specific part". If the "at least one specific part" is further defined as "at least one

part type" by claim 36, only "at least one part type" will be input rather than the

required at "least one part type" and the required "at least one specific part".

Claim 36 is also considered to be vague and indefinite because it attempts to

further limit "the at least one field group" while there is no previous mention of any

"field group". Therefore, it is unclear to one having ordinary skill in the art as to what

"the at least one field group" is attempting to further limit.

Claim 38 is rejected under 35 U.S.C. 112, second paragraph, because it

attempts to further limit parent claim 34 by "further comprising at least one

workstation for entering and viewing the product quality control measurement data".

It is unclear to one having ordinary skill in the art, however, how claim 38 can further

limit parent claim 34 to include "at least one workstation for entering and viewing the

product quality control measurement data" when parent claim 34 requires that the

product quality control measurement data be input from a plurality of measurement devices.

Claim 40 is considered to be vague and indefinite because it specifies transmission "through a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network". It is unclear to one having ordinary skill in the art, however, as to how such transmission can be provided through a group consisting of each of the types of communication as claimed.

Claim 40 is further considered to be vague and indefinite because it attempts to further limit the transmission of "the at least one workstation" while there is no previous mention of any "workstation". Therefore, it is unclear to one having ordinary skill in the art as to what "the at least on workstation" refers.

Claim 44 is considered to be vague and indefinite because it attempts to further limit "the at least one workstation" while there is no previous mention of any "workstation". Therefore, it is unclear to one having ordinary skill in the art as to what "the at least on workstation" refers.

Claim 44 is further considered to be vague and indefinite because it attempts to further limit "the entering of the product quality control measurement data" while there is no previous mention of any "entering of the product quality control measurement data". Therefore, it is unclear to one having ordinary skill in the art as to what "the entering of the product quality control measurement data" refers.

Claim 45 is considered to be vague and indefinite because it attempts to further limit "the at least one workstation" while there is no previous mention of any "workstation". Therefore, it is unclear to one having ordinary skill in the art as to what "the at least on workstation" refers.

Claim 45 is further considered to be vague and indefinite because it attempts to further limit "the entered product quality control measurement data by the at least one first user" while there is no previous mention of any "entered product quality control measurement data" or any "first user". Therefore, it is unclear to one having ordinary skill in the art as to what "the entered product quality control measurement data by the at least one first user" refers.

Claim 54 is considered to be vague and indefinite because it attempts to further limit the "information relating to at least one type of measurement device". Claim 54, however, presents the "information relating to at least one type of measurement device" as one possible selection to meet the "measurement data" and can be met by a "manufacturer of a measurement device" and not "information related to at least one type of measurement device." Therefore, since claim 54 presents a conditional limitation that can be met by types of data other than the "information relating to at least one type of measurement device" attempted to be further limited, such a limitation is considered to be indefinite in when such a condition is not met by the "information relating to at least one type of measurement device".

Claim 55 is rejected under 35 U.S.C. 112, second paragraph, because it attempts to provide a limitation for "entering and viewing the measurement data

utilizing at least one workstation". It is unclear to one having ordinary skill in the art, however, how claim 55 can further limit "inputting measurement data from a plurality of measurement devices" with "entering and viewing the measurement data utilizing at least one workstation".

Claim 59 is considered to be vague and indefinite because it further limits "the at least one specific part" to include one of "at least one part name, at least one part type, at least one product code...". It is unclear to one having ordinary skill in the art, however, how "the at least one specific part includes...at least one part type" when claim 59 also requires inputting both at "least one part type" <u>and</u> "at least one specific part". If the "at least one specific part" is further defined as "at least one part type", only "at least one part type" will be input rather than the required at "least one part type" and the required "at least one specific part".

Claim 59 is also considered to be vague and indefinite because it attempts to further limit "the at least one field group" while there is no previous mention of any "field group". Therefore, it is unclear to one having ordinary skill in the art as to what "the at least one field group" is attempting to further limit.

Claims 16, 18, 26-29, and 39 are rejected under 35 U.S.C. 112, second paragraph, because they incorporate the lack of clarity present in their respective parent claims.

Claim Rejections - 35 USC § 101

13. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

14. Claims 1-32, 48-54, and 58 are considered to be non-statutory. It has been held that the claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373, 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). In determining whether the claim is for a "practical application," the focus is not on whether the steps taken to achieve a particular result are useful, tangible and concrete, but rather that the final result is "useful, tangible and concrete."

Furthermore, a process that consists solely of the manipulation of an abstract idea is not concrete or tangible. See In re Warmerdam, 33 F.3d 1354, 1360, 31 USPQ2d 1754, 1759 (Fed. Cir. 1994). See also Schrader, 22 F.3d at 295, 30 USPQ2d at 1459.

Independent claim 1, and dependent claims 2-32, provides a concluding step of "inputting product quality control measurement data from a plurality of measurement devices, wherein the inputted product quality control measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field." This final step of "inputting" does not

produce a "useful, concrete and tangible result" but is instead only the reception of data, and the method does not output, store, or produce any tangible form of the input to accomplish a practical application. Also, since the resulting input is not used for any intended purpose, it appears to be only a starting point for future application. For these reasons, claims 1-32 are considered to be non-statutory.

Similarly, independent claims 48-54 provide a concluding step of "inputting measurement data from a plurality of measurement devices, wherein the inputted product quality control measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field". This final step of "inputting" does not produce a "useful, concrete and tangible result" but is instead only the reception of data, and the method does not output, store, or produce any tangible form of the input to accomplish a practical application. Also, since the resulting input is not used for any intended purpose, it appears to be only a starting point for future application. For these reasons, claims 48-54 are considered to be non-statutory.

Independent claim 58 provides a concluding step of "providing an electronic signature from at least one user for reports selected from the group of reports consisting of the at least one alarm report, the at least one data edit report, the at least one data verification report, and the at least one pre-shipment review report". This final step of "providing" does not produce a "useful, concrete and tangible result" but is instead a result of internal data manipulation that is not externally conveyed, specifically the method does not output, store, or produce any tangible

form of the electronic signature to accomplish a practical application. Also, since the resulting signature is not used for any intended purpose, it appears to be only a starting point for future application. For these reasons, claim 58 is considered to be non-statutory.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

16. Claims 1-11, 13-17, 19-24, 33-43, 47-51, 53, 54, 56, 57, and 59-61, as may best be understood, are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Application Publication No. 2003/0004656 to Bjornson.

With respect to claim 1, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B), and inputting product quality control measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is at least partially

correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5 and Figures 11A-F)

With respect to claim 2, Bjornson discloses that the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 3, Bjornson discloses inputting information relating to at least one facility into the computer system (0068, lines 6-7 and Figure 4A)

With respect to claim 4, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of products (i.e. types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 5, Bjornson discloses that the at least one specific part includes information that is selected from the group consisting of at least one part type, at least one product code, and at least one product characteristic information (i.e. types of components of products-"Type", product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 6, Bjornson discloses that the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 7, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of unit of measurement (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14)

With respect to claim 8, Bjornson discloses that the at least one type of unit of measurement is selected from the group consisting of temperature and pressure (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 9, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one specific unit of measurement (i.e. specific unit of valve measurement, seal temperature, seal pressure, etc.) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 10, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of test (i.e. Seal Failure Testing) (Figure 11C)

With respect to claim 11, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes at least one specific test. (Pressure Testing of Mechanical Seal) (Figure 11C)

With respect to claim 13, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes

inputting information selected from the group consisting of at least one type of

measurement device (i.e. temperature/pressure gauges) (Figure 11E).

With respect to claim 14, Bjornson discloses that inputting information relating to

at least one type of measurement device is selected from the group consisting of at

least one type for a specific measurement device, at least one serial number for a

specific manufacturing device, and at least one indication as to whether or not a

specific measurement device is active (i.e. temperature/pressure gauge types, serial

numbers, active settings and readings) (Figure 11E).

With respect to claim 15, Bjornson discloses entering and viewing the product

quality control measurement data (0095, lines 1-8) utilizing at least one workstation

(0116, lines 1-19).

With respect to claim 16, Bjornson discloses that the at least one workstation is

selected from the group consisting of pocket processors, industrial computers,

programmable logic controllers and personal computers (0105, lines 19-22 and

0119, line 1 to 0120, line 12).

With respect to claim 17, Bjornson discloses that the computer system includes

at least one main server that is able to transmit data with the at least one workstation

through a group consisting of wireless communication, direct hardwired connection,

local area networks, wireless communication, internet and wide area network (0111,

lines 1-16).

With respect to claim 19, Bjornson discloses evaluating the inputted product

quality control measurement data from a plurality of measurement devices with the

computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 20, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing an assignable causes when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 21, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a recommended remedial action when the at least one predetermined test fails (0018, lines 1-19, 0019, lines 1-6, 0118, lines 1-47, and Figure 11C).

With respect to claim 22, Bjornson discloses that the at least one predetermined test includes aspects selected from the group consisting of at least one predetermined target and a corrective action procedure for the at least one predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019, lines 1-6, and Figure 11C)

With respect to claim 23, Bjornson discloses generating reports with the computer system (0092, lines 1-15).

With respect to claim 24, Bjornson discloses that generating reports with the computer system includes reports elected from the group consisting of at least one

corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 33, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part into the computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field into the computer system (0070, lines 1-5 and Figure 4B) inputting product quality control measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14) entering and viewing the product quality control measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-19); and evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 34, Bjornson discloses a computer system for monitoring facility data (abstract) comprising at least one input device for receiving information relating to at least one part (0095, lines 10-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); and a plurality of measurement devices for receiving product quality control measurement data (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is at least partially correlated to the information related to

the at least one part and the information related to the at least one field (0095, lines 1-5 and Figures 11A-F).

With respect to claim 35, Bjornson discloses that the information relating to the at least one part includes at least one part type and at least one specific part and the information relating to the at least one field includes at least one field type and at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 36, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of products (i.e. Types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A), wherein the at least one specific part includes information that is selected from the group consisting of at least one part type, at least one product code, and at least one product characteristic information (i.e. types of components or produces-"Type", product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A) and wherein the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 37, Bjornson discloses that the inputted product quality control measurement data that is correlated to the information related to the at least one part (0095, lines 1-5 and Figures 11A-F) and the information that is related to the at least one field includes information selected from the group consisting of at

least one type of unit of measurement (i.e. temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 38, Bjornson discloses at least one workstation (0116, lines 1-19) for entering and viewing the product quality control measurement data (0095, lines 1-8).

With respect to claim 39, Bjornson discloses that the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers (0105, lines 19-22 and 0119, line 1 to 0120, line 12).

With respect to claim 40, Bjornson discloses at least one main server that is able to transmit data with the at least one workstation through a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network (0111, lines 1-16).

With respect to claim 41, Bjornson discloses that the inputted product quality control measurement data is evaluated with the computer system with at least one predetermined test and a notification is provided if the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 42, Bjornson discloses that the computer system generates at least one report (0092, lines 1-15).

With respect to claim 43, Bjornson discloses that the at least one report is selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 47, Bjornson discloses that the computer system generates a response from the group consisting of a recommended remedial action and an assignable cause (0018, lines 1-19 and 0019, lines 1-6).

With respect to claim 48, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); inputting measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5 and Figures 11A-F); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one part type is selected from the group consisting of types of components of products (i.e. types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 49, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); wherein the inputting information relating to the at least one part

includes inputting least one part type and inputting at least one specific part and the

inputting information relating to the at least one field includes inputting at least one

field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-

F); and wherein the at least one specific part includes information that is selected

from the group consisting of at least one part type, at least one product code, and at

least one product characteristic information (i.e. types of components of products-

"Type", product code- "MfgPArt#" / "Serial Number", product characteristic

information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 50, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); wherein the inputting information relating to the at least one part

includes inputting least one part type and inputting at least one specific part and the

inputting information relating to the at least one field includes inputting at least one

field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-

F); and wherein the at least one field group is selected from the group consisting of

work-in-progress temperatures (i.e. work in process operating condition

temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 51, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); wherein the inputting measurement data from a plurality of

measurement devices includes inputting at least one type of unit of measurement

(i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5 Figure 11A-F, and

0100, lines 9-18 and 0116, lines 10-14); and wherein the at least one type of unit of

measurement is selected from the group consisting of temperature and pressure (i.e.

valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100,

lines 9-18 and 0116, lines 10-14).

With respect to claim 53, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); and wherein the inputting measurement data from a plurality of

measurement devices includes inputting information selected from the group

consisting of at least one type of measurement device (i.e. temperature/pressure

gauges) (Figure 11E).

With respect to claim 54, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); wherein the inputting measurement data from a plurality of

measurement devices includes inputting information selected from the group

consisting of at least one type of measurement device (i.e. temperature/pressure

gauges) (Figure 11E) and wherein the inputting information relating to at least one

type of measurement device is selected from the group consisting of at least one

unit of measurement for a measurement device type, at least one serial number for a

specific manufacturing device, and at least one indication as to whether or not a

specific measurement device is active (i.e. temperature/pressure gauge types, serial

numbers, active settings and readings) (Figure 11E).

With respect to claim 56, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); and evaluating the inputted measurement data from a plurality

of measurement devices with the computer system in accordance with at least one

predetermined test and providing a notification when the at least one predetermined

test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C), wherein the at least

one predetermined test includes aspects selected from the group consisting of at

least one predetermined target and a corrective action procedure for the at least one

predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019,

lines 1-6, and Figure 11C).

With respect to claim 57, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5

and Figures 11A-F); and generating reports with the computer system (0092, lines 1-

15), wherein the generating reports with the computer system includes reports

selected from the group consisting of at least one corrective action report (i.e. quote

report including corrective actions) (0092, lines 1-15).

With respect to claim 59, Bjornson discloses a computer system (0054, lines 1-2)

for monitoring facility data (abstract) comprising at least one input device for

receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F)

and receiving information relating to at least one field (0070, lines 1-5 and Figure

4B); a plurality of measurement devices for receiving measurement data (0100, lines

9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least

partially correlated to the information related to the at least one part and the

information related to the at least one field (0095, lines 1-5 and Figures 11A-F);

wherein the information relating to the at least one part includes at least one part

type and at least one specific part and the information relating to the at least one

field includes at least one field type and at least one specific field (0095, lines 1-5

and Figure 11A-F); and wherein the at least one part type is selected from the group

consisting of types of components of products (i.e. types of components of products,

"Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A), wherein the at least one

specific part includes information that is selected from the group consisting of at

least one part type, at least one product code, and at least one product characteristic

information (i.e. types of components of products- "Type", product code- "MfgPArt#" /

"Serial Number", product characteristic information- "Features", "Size", etc.) (0095,

lines 1-5 and Figure 11A) and wherein the at least one field group is selected from

the group consisting of work-in-progress temperatures (i.e. work in progress

operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 60, Bjornson discloses a computer system (0054, lines 1-2)

for monitoring facility data (abstract) comprising: at least one input device for

receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F)

and receiving information relating to at least one field (0070, lines 1-5 and Figure

4B); a plurality of measurement devices for receiving measurement data (0100, lines

9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least

partially correlated to the information related to the at least one part and the

information related to the at least one field (0095, lines 1-5 and Figures 11A-F), and

wherein the inputted measurement data that is correlated to the information related

to the at least one part and the information that is related to the at least one field

includes information selected from the group consisting of at least one type of unit of

measurement (i.e. temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F,

and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 61, Bjornson discloses a computer system (0054, lines 1-2)

for monitoring facility data (abstract) comprising: at least one input device for

receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F)

and receiving information relating to at least one field (0070, lines 1-5 and Figure

4B); a plurality of measurement devices for receiving measurement data (0100, lines

9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least

partially correlated to the information related to the at least one part and the

information related to the at least one field (0095, lines 1-5 and Figures 11A-F);

wherein the computer system generates at least one report (0092, lines 1-15); and

wherein the at least one report is selected from the group consisting of at least one

corrective action report (i.e. quote report including corrective actions) (0092, lines 1-

15).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

18. Claims 12 and 52, as may best be understood, are rejected under 35 U.S.C.

103(a) as being unpatentable over Bjornson in view of U.S. Patent No. 5,473,950 to

Peterson.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention, and while the invention of Bjornson does teach selecting at least

one test to be performed, Bjornson does not specifically indicate that the at least one

test is selected from the group consisting of a temperature of a product at a

particular point in processing, inspection for fecal contamination, weight of the

product, percentage of trisodium phosphate solution, verification of critical limits, pre-

shipment verification of product quality, thermometer calibration with comparison

against NST certified standard weight and visual inspections regarding sanitation.

Peterson teaches a process plant sample collection method including a means

for sampling a product being processed to enable testing for pre-shipment

verification of product quality (column 1, lines 39-54).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to specifically indicate that the at least one test is pre-shipment

verification of product quality, as taught by Peterson, because Peterson suggests

that it is common to verify the product quality before it is ready for shipment and one

having ordinary skill in the art would recognize that such pre-shipment testing would

improve the overall system of Bjornson by insuring that a high quality product is

provided to consumers by verifying that the product processing is operating correctly

(column 1, lines 39-54).

19. Claims 18, 26, 27, 32, 44, and 55, as may best be understood, are rejected

under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent

No. 6,044,154 to Kelly.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach a user at a

workstation for entering facility data, Bjornson does not specifically indicate that the

at least one workstation includes associated information from the group consisting of

at least one name of a workstation type, at least one indication as to whether a

workstation type is portable, at least one name of a workstation manufacturer,

contact information for a workstation manufacturer, at least one indication as to

whether a workstation manufacturer is active, at least one name of a workstation

model, at least one name of a workstation model manufacturer, at least one type of

workstation and at least one indication as to whether a workstation model is active,

at least one name of a specific workstation, at least one type of a specific

workstation, at least one serial number for a specific workstation, and at least one

indication as to whether a specific workstation is active or that the user is identified

by inputting a user id and personal identification number to create an electronic

signature.

Kelly teaches a remote generated device identifier key for use with a duel-key

reflexive encryption security system comprising a security system for generating

access to a host computer in response to a demand from a remote workstation

(column 3, lines 45-47) wherein the remote workstation includes at least one serial

number for a specific workstation (column 6, lines 35-38) and the user is identified

by inputting a user id and personal identification number to create an electronic

signature (column 6, lines 56-67) wherein selective aspects of the computer system

can be selectively blocked from view for a user depending on a predetermined

security role determined for that user (column 8, lines 26-46)

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to specifically indicate that the at least one workstation

includes associated information from the group consisting of at least one serial

number for a specific workstation and that the user is identified by inputting a user id

and personal identification number to create an electronic signature, as taught by

Kelly, because the invention of Bjornson does teach a user at a workstation for

entering facility data and, as suggested by Kelly, the combination would have

improved the system of Bjornson by increasing the security of the system to ensure

that the user has proper clearance for entering the data and thereby reduce the

likelihood of unauthorized users from obtaining/editing the facility data by blocking

access to the system from such unauthorized users (column 1, lines 18-26 and column 3, lines 27-35).

20. Claims 28, 29, and 45, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Kelly and further in view of U.S. Patent Application Publication No. 2003/0236979 to Himmel et al.

As noted above, the invention of Bjornson and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson and Kelly does teach inputting product quality control measurement data by a first user that inputs an associated electronic signature, the combination does not specify that such entering of product quality control measurement data is verified by a second user.

Himmel teaches group security objects and concurrent multi-user security objection comprising a client remotely connected over a network (0046, lines 1-7) for receiving a first user id and password (0049, lines 1-12 and 0053) and further identifying the identity of the at least one second user by inputting a user id and password (0108, lines 1-19) to verify that the first user has proper authorization for access to the protected data (0009, lines 1-15 and 0109, lines 1-11).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Kelly to specify that the entering of product quality control measurement data is verified by a second user, as taught by Himmel, because, as suggested by Himmel, the combination would have provided increased security to the system of Bjornson and Kelly thereby insuring the accuracy of the data entered

in such a system by employing dual user security controls as part of a system that does not require extensive recoding (0006, lines 1-14 and 0009, lines 1-15).

21. Claims 25 and 58, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view Kelly and further in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson and Kelly does teach performing at least one test as well as generating a result of such a test and further generating reports with access to the system data controlled by a user's electronic signature, Bjornson does not explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means for providing alarm detection and generation when an input value produced by hardware varies from a user specified normal condition (column 14, lines 18-20, column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Kelly to explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report, as taught by Pascucci, because, as suggested by Pascucci, the combination would have improved the

system of Bjornson and Kelly by generating alarms to indicate to a user that one of

the tests of Bjornson and Kelly has failed to allow the user to take corrective action

as well as provided the user with detailed alarm information for further analysis to

determine system errors with greater efficiency as part of an organized report

(column 63, lines 15-19 and 25-42 and column 65 line 61 to column 66, line 8).

22. Claims 30 and 46, as may best be understood, are rejected under 35

U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent No.

6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach performing at least

one test as well as generating a result of such a test and further generating reports,

Bjornson does not explicitly indicate that failure of such a test generates an alarm

and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means

for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means

for providing alarm detection and generation when an input value produced by

hardware varies from a user specified normal condition (column 14, lines 18-20,

column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm

reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to explicitly indicate that failure of such a test generates an

alarm and a corresponding alarm report, as taught by Pascucci, because, as

suggested by Pascucci, the combination would have improved the system of

Bjornson by generating alarms to indicate to a user that one of the tests of Bjornson

has failed to allow the user to take corrective action as well as provided the user with

detailed alarm information for further analysis to determine system errors with

greater efficiency as part of an organized report (column 63, lines 15-19 and 25-42

and column 65 line 61 to column 66, line 8).

23. Claim 31, as may best be understood, is rejected under 35 U.S.C. 103(a) as

being unpatentable over Bjornson in view of U.S. Patent Application Publication No.

2003/0120446 to Xie et al.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach monitoring the

operations of a facility utilizing inputted product quality control measurement data,

the combination does not specify generating a statistical process control chart.

Xie teaches a net system and method for quality control comprising means for

measuring data and generating measurement information and a management

module for performing statistical chart analysis to generate a plurality of reports

(0007, lines 1-25), wherein the statistic charts include a statistical process control

chart (0028, lines 1-5).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to specify generating a statistical process control chart, as

taught by Xie, because, as suggested by Xie, the combination would have reduced

the possibility of human error and improved the efficiency of quality control by

providing automatic and detailed quality information in the common form of statistical

process control analysis charts (0002, lines 3-7, 0005, lines 1-6 and 0007, lines 22-

25).

Response to Arguments

24. Applicant's arguments with respect to claims 1-61 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure:

U.S. Patent Application Publication No. 2003/0028268 to Eryurek et al. teaches

data sharing in a process plant.

U.S. Patent No. 7,026,929 to Wallace teaches a food information monitoring

system.

U.S. Patent Application Publication No. 2002/0116083 to Schulze teaches a

system and method for automated monitoring and assessment of fabrication facility.

U.S. Patent Application Publication No. 2002/0029222 to Key teaches a system

and method for an online jurisdiction manager.

U.S. Patent No. 5,473,950 to Peterson teaches a process plant sample collection

method.

U.S. Patent No. 6,421,571 to Spriggs et al. teaches an industrial plant asset

management system apparatus and method.

26. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jeffrey R. West whose telephone number is

(571)272-2226. The examiner can normally be reached on Monday through Friday,

8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marc S. Hoff can be reached on (571)272-2216. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-

8300.

Information regarding the status of an application may be obtained from the

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Jeffrey R. West
Examiner – AU 2857

October 2, 2006